

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

DAVID A. CAMPBELL,)	
)	
Plaintiff,)	
)	
v.)	1:04CV989
)	
JOHN E. POTTER, POSTMASTER)	
GENERAL, UNITED STATES)	
POSTAL SERVICE,)	
)	
Defendant.)	

ORDER

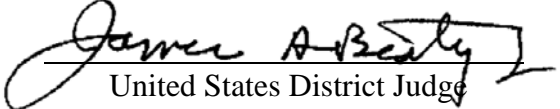
BEATY, District Judge.

For the reasons discussed in the Memorandum Opinion filed contemporaneously herewith, Defendant's Motion for Summary Judgment [Document #18] will be GRANTED IN PART AND DENIED AND PART. Specifically, Defendant's Motion for Summary Judgment is GRANTED with respect to: (1) Plaintiff's claims regarding the December 20, 2000 postal service invoice; (2) Plaintiff's claims regarding an alleged delay in adjusting his routes; (3) Plaintiff's claims pursuant to 42 U.S.C. § 1981; and (4) Plaintiff's claims for punitive damages. IT IS THEREFORE ORDERED that all of those claims are DISMISSED WITH PREJUDICE. However, Defendant's Motion for Summary Judgment is DENIED with respect to Plaintiff's claim of retaliation following his October 11, 2001 EEO charge, particularly as to Plaintiff's allegation that he was required to regularly work on his Saturday relief day for over six months

in retaliation for filing an EEO complaint. The Court will resolve any outstanding issues or defenses with respect to this retaliation claim at the bench trial in this case.

Given these rulings, IT IS FURTHER ORDERED that the parties are to file supplemental trial briefs and proposed findings of fact and conclusions of law limited to the remaining retaliation claim by April 3, 2006. This case is hereby scheduled for a bench trial beginning Thursday, April 6, 2006 at 9:30 a.m.

This, the 28th day of March, 2006.


United States District Judge